

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

TYLER J. KEUP,)	
)	4:05CV3208
Plaintiff,)	
)	
vs.)	ORDER
)	
F.X. HOPKINS, et al.,)	
)	
Defendants.)	

This matter is before the court on motion of Kellie Paris Asaka to withdraw as counsel for plaintiff Tyler J. Keup (Keup) and to appoint substitute counsel to represent Keup (Filing No. 117). Ms. Asaka is leaving the private practice of law as of May 1, 2008. Accordingly, Ms. Asaka's motion to withdraw will be granted. Upon consideration, substitute counsel will be appointed in this case.

IT IS ORDERED:

1. Ms. Asaka's motion to withdraw (Filing No. 117) is granted.
2. Dana C. Bradford, 1620 Dodge Street, Suite 1800, Omaha, NE 68102, (402) 342-4200, is appointed to represent Keup for the balance of these proceedings.
3. Pursuant to the Amended Plans for the Administration of the Federal Practice Fund and the Federal Practice Committee, District of Nebraska, III(A), and VI(C), (E) - (I), NEGenR 1.2(1) and 1.7(g), and NECivR 54.4, Mr. Bradford will be compensated in the amount of \$2,000.00. The clerk of the court shall pay Mr. Bradford the sum of \$1,000.00 upon the entry of his appearance. The balance of Mr. Bradford's fee, not to exceed \$1,000.00 shall become payable upon the entry of judgment or other closing documents. Mr. Bradford may incur reasonable expenses in his representation of the plaintiff in accordance with Amended Plans set forth above.
4. If this suit results in an award of attorney's fees pursuant to 42 U.S.C. § 1988, or other such statute, and the award is greater than the attorney's fee plus reasonably incurred expenses authorized by this order, Mr. Bradford will reimburse the Federal

Practice Fund from that award the amount of \$2,000.00 plus his reasonably incurred expenses paid from the Federal Practice Fund.

5. Mr. Bradford and counsel for the defendants shall participate in a telephone conference with the undersigned magistrate judge **on April 18, 2008, at 1:30 p.m.**, to discuss the preparation of this matter for trial. Counsel for the defendants shall initiate the telephone conference.

DATED this 10th day of April, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge